

## **H. Res. 351**

### ***In the House of Representatives, U.S.,***

*July 12, 2005.*

*Resolved*, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 739) to amend the Occupational Safety and Health Act of 1970 to provide for adjudicative flexibility with regard to the filing of a notice of contest by an employer following the issuance of a citation or proposed assessment of a penalty by the Occupational Safety and Health Administration. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit.

SEC. 2. Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 740) to amend the Occupational Safety and Health Act of 1970 to provide for greater effi-

ciency at the Occupational Safety and Health Review Commission. The bill shall be considered as read. The amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit with or without instructions.

SEC. 3. Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 741) to amend the Occupational Safety and Health Act of 1970 to provide for judicial deference to conclusions of law determined by the Occupational Safety and Health Review Commission with respect to an order issued by the Commission. The bill shall be considered as read. The amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minor-

ity member of the Committee on Education and the Workforce; and (2) one motion to recommit with or without instructions.

SEC. 4. Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 742) to amend the Occupational Safety and Health Act of 1970 to provide for the award of attorney's fees and costs to small employers when such employers prevail in litigation prompted by the issuance of a citation by the Occupational Safety and Health Administration. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit.

SEC. 5. (a) In the engrossment of H.R. 739, the Clerk shall—

(1) await the disposition of all the bills contemplated in sections 2–4;

(2) add the respective texts of all the bills contemplated in sections 2–4, as passed by the House, as new matter at the end of H.R. 739;

(3) conform the title of H.R. 739 to reflect the addition to the engrossment of the text of all the bills contemplated in sections 2–4 that have passed the House;

(4) assign appropriate designations to provisions within the engrossment; and

(5) conform provisions for short titles within the engrossment.

(b) Upon the addition of the text of the bills contemplated in sections 2–4 that have passed the House to the engrossment of H.R. 739, such bills shall be laid on the table.

(c) If H.R. 739 is disposed of without reaching the stage of engrossment as contemplated in subsection (a), the bill contemplated in sections 2–4 that first passes the House shall be treated in the manner specified for H.R. 739 in subsections (a) and (b), and all other bills contemplated in sections 2–4 that have passed the House shall be laid on the table.

Attest:

*Clerk.*